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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

April 6, 1994

BY HAND

Mr. William F. Caton  
Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

Re: PP Docket No. 93-21  
Sports Migration Inquiry

Dear Mr. Caton:

Transmitted on behalf of The BIG EAST Conference and The BIG EAST Football Conference are an original and nine copies of its Further Comments in the above-referenced proceeding. We would appreciate your assistance in distributing a personal copy of these Comments to each Commissioner.

Thank you for your assistance in this matter.

Very truly yours,

Thomas P. McElroy  
Senior Associate Commissioner

Enclosures

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Boston College

University of Miami

University of Pittsburgh

The State University  
of New Jersey  
Rutgers

Syracuse University

Temple University

Virginia Tech

West Virginia University

Before The  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

APR 11 1994

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Implementation of Section 26 of the  
Cable Television Consumer Protection  
and Competition Act of 1992

Inquiry into Sports Programming  
Migration

PP Docket No. 93-21

FURTHER COMMENTS OF THE BIG EAST CONFERENCE  
AND THE BIG EAST FOOTBALL CONFERENCE

The Big East Conference ("Big East") and the Big East Football Conference ("BEFC") jointly submit these comments in response to the Commission's Further Notice of Inquiry ("Further Notice") in this proceeding. There has been no "migration" of Big East basketball or BEFC football games from broadcast to cable television. Instead, broadcast and cable coverage of those events have increased and are expected to continue increase in the future.

In their initial comments ("Initial Joint Comments") submitted last year in response to the Commission's Notice of Inquiry ("NOI"), the Big East and BEFC<sup>1</sup> explained that Big East men's basketball and BEFC football are televised pursuant to

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<sup>1</sup> The Big East is comprised of the following colleges and universities: Boston College; Providence College; University of Connecticut; Syracuse University; St. John's University; Seton Hall University; Georgetown University; University of Miami; University of Pittsburgh; and Villanova University. The BEFC is a separate conference comprised of the following colleges and universities: Boston College; Syracuse University; University of Pittsburgh; University of Miami; Virginia Tech University; Temple University; Rutgers University; and West Virginia University.

agreements which give priority to broadcast television coverage at the national and regional/local level, but at each level broadcast coverage is supplemented by cable carriage. After reviewing the record compiled in response to the NOI, the Commission tentatively concluded that: (a) "college basketball games have not migrated to cable television and are in little danger of doing so;" and (b) "[w]ith respect to college football, we do not believe that games previously available to broadcast television have moved to cable television." See, Interim Report, 8 FCC Rod 4875 (1993) at ¶86.

The Big East and BEFC support these tentative conclusions and respectfully submit that developments since the release of the Interim Report serve only to confirm their accuracy. Because the Commission has stated that its "analysis of college sports will emphasize football," (Further Notice at ¶27) these Further Comments will provide updated information regarding the BEFC agreement in principle with CBS for televising BEFC games beginning in 1996 and running through the year 2000.<sup>2</sup>

**The BEFC/CBS Agreement Will Increase  
Broadcast Coverage of BEFC Games**

The BEFC was formed in 1991. Through membership in the College Football Association ("CFA"), BEFC teams are guaranteed to receive at least 12 percent of the total network "appearances"

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<sup>2</sup> The three-tiered distribution plan pursuant to which Big East men's basketball games are televised was described in detail in the Initial Joint Comments at 2-5 and will not be repeated here.

available pursuant to the CFA agreements with ABC and ESPN, which expire in 1995. As a result, BEFC teams have appeared in six or seven ABC broadcasts of CFA games each year since the BEFC was formed:<sup>3</sup>

<u>Year</u>	<u>ABC Appearances</u>
1991	7
1992	6
1993	7

During that time, BEFC teams also occasionally appeared on broadcast network telecasts of certain "crossover" games against non-CFA member teams:<sup>4</sup>

<u>Year</u>	<u>ABC Appearances</u>	<u>NBC Appearances</u>
1991	1	1
1992	3	1
1993	1	2

Thus, BEFC teams have appeared on broadcast network television a total of nine or ten times each year since the BEFC was formed.

In addition to the broadcast network coverage of CFA and "crossover" games, the BEFC also cleared a "Game-of-the-Week" in most television markets in the Northeast and south Florida during this period. The BEFC's goal has been to obtain broadcast television carriage of the Game of the Week in each of these markets. Where the BEFC has been unable to obtain broadcast coverage of the "Game-of-the-Week," it has sought cable carriage to

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<sup>3</sup> BEFC also appeared in five to seven CFA games televised on ESPN each year during the same period.

<sup>4</sup> BEFC teams also appeared in one crossover game televised by ESPN in each year.

fill in the gaps.<sup>5</sup> Thus, the BEFC historically has given priority to broadcast coverage of its Game of the Week in order to maximize its exposure in major television markets. This enables the BEFC member schools to reach the broadest possible audience in order to maximize ratings and advertising revenues, attract new students and build alumni support.

The BEFC's new television agreements will substantially expand television broadcast coverage of BEFC games. Beginning with the 1996 football season, an average of 9 to 12 games hosted by BEFC teams will appear on CBS.<sup>6</sup> In addition, visiting BEFC teams playing against members of other collegiate conferences or independents may appear on television pursuant to the television arrangements negotiated by the home team.<sup>7</sup> If a particular game is not selected by CBS or ESPN, the new BEFC agreement allows live local and/or regional broadcast or cable coverage of the game in the respective viewing areas of the participating teams as long as the telecast does not occur opposite the CBS and/or

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<sup>5</sup> Because regional cable networks often extend across several broadcast television markets, it is sometimes difficult to obtain cable coverage because of commitments to broadcast stations in markets overlapped by the regional cable network. When possible, the BEFC agreements with regional cable networks require the network operator to black-out areas in which the Game of the Week is being carried on broadcast television.

<sup>6</sup> Pursuant to the new BEFC agreement with ESPN up to 12 games hosted by Big East teams will appear on ESPN or ESPN-II, with a minimum of 5 of those games to be carried on ESPN.

<sup>7</sup> Because a number of collegiate conferences and teams have negotiated separate television packages, television rights for non-conference "crossover" games will be determined in accordance with the television package of the home team.

ESPN telecasts. Finally, tape-delayed BEFC games may be broadcast or carried on cable at any time.

The net result of the new BEFC agreement is that more BEFC games will be available on broadcast television than ever before. Rather than nine or ten network broadcast appearances, the new agreement is likely to result in at least twelve to fifteen network appearances each year, depending on the "cross-over" schedule. The new agreements specifically permit local broadcast coverage of BEFC games under the conditions set forth above. Consequently, BEFC respectfully submits that its new television packages confirm the Commission's tentative conclusion that broadcast coverage of college football games has not diminished (Interim Report at ¶86) and demonstrate that local and national broadcast coverage will increase significantly in the future.

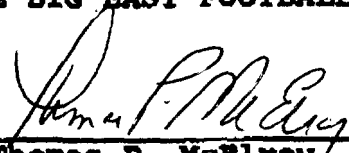
In short, there clearly has been and will continue to be no "migration" problem with respect to BEFC football and, therefore, no reason to recommend legislative or regulatory action.

April 11, 1994

Respectfully submitted,

THE BIG EAST CONFERENCE  
THE BIG EAST FOOTBALL CONFERENCE

By

  
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**BIG EAST FOOTBALL CONFERENCE NETWORK**  
**1993 CLEARANCE GRID - ALPHABETICAL BY MARKET WITHIN STATE**

					Visitor Home	Ohio St Pitt	Temple BC	VA Tech West VA	BC Rugers	SU Pitt	PM WV	Temple Miami	Pitt NC	VT BC	VA Tech SU	PM Temple
DMA	ST	STATION/CH	AFFL	T/C		9/18	9/25	10/2	10/9	10/16	10/23	10/30	11/	6	11/13	11/20
Hartford	CT	WTNH-8	ABC	5		X	X				X		X		X	
	CT	WTWS-26	IND	5				X	X	X		X				X
Fl. Myers	FL	WBR-7/WBS-9	IND	10		X	X	X	X	X	X	X	X		X	X
Miami	FL	WBFS-33	IND	10		X	X	X	X	X	X	X	X		X	X
Orlando	FL	WIRB	IND	6		X		X		X	X	X			X	
Tampa-St. P	FL	WTMV-32	IND	8		X		X		X	X	X	X		X	X
W Palm Bch	FL	WPTV-5	NBC	3				X		X		X				
W Palm Bch	FL	WPBF-25	ABC	2		X							X			
	FL	WAQ-19	IND	4			X		X		X					X
Boston	MA	WCVB-5	ABC	8		X	X	DB	X	DB	X	X		X	X	X
Springfield	MA	WGG8-40	ABC	2			X							X		
Binghamton	NY	WBNG	CBS	10		X	X	X	X	X	X	X		X	X	X
Kington	NY	WTZA-62	IND	7		X	X	X			X			X	X	X
New York	NY	WABC-7	ABC	4		X	X				X				X	
	NY	MSGN	Cable	6				DB	X	X		X	DB			DB
Rochester	NY	WHEC-10	NBC	9		X		X	X	X	X	X		X	X	X
Syracuse	NY	WSTM-3	NBC	10		X	X	X	X	X	X	X		X	X	X
Utica	NY	WKTV-2	NBC	8			X	X		X	X	X	X		X	X
Erie	PA	WETG-66	FOX	10		X	X	X	X	X	X	X	X		X	X
Harrisburg	PA	WHTM-27	ABC	7		X	X	X			X	X	X		X	
Johnstown	PA	WTAJ-10	CBS	10		X	X	X	X	X	X	X	X		X	X
Philadelphia	PA	WPVI-6	ABC	4		X	X				X				X	
		WGTW	IND	2									X			X
Pittsburgh	PA	WTAE-4	ABC	9		X	X	X		X	X	X	X		X	X
Wilkes-Barre	PA	WNEP-16	ABC	4		X	X				X				X	
Providence	RI	WLNE-6	CBS	7					X	X	X	X		X	X	X
Washington	DC	HTS	Cable	8		X	X		X	X	X	X	X			X
Northern Virginia	DC	WNVT	PBS	3				X						X	X	
Norfolk	VA	WVEC-13	ABC	1											X	
	VA	WTKR-3	CBS	1										X		
	VA	WGNT-27	IND	1				X								
Richmond	VA	WRIC-8	ABC	1											X	
	VA	WZXX-65	IND	1										X		
Renoite	VA	WSLS-10	NBC	3				X						X	X	
Bluefield	WV	WOAY-4	ABC	8		X	X	X		X	X	X		X	X	
Charleston	WV	WCBS-8	ABC	10		X	X	X		X	X	X		X	X	X
Clarksburg	WV	WBOY-12	NBC	10		X	X	X	X	X	X	X	X		X	X
Martinsburg	WV	WYVN	IND	7				X	X	X	X	X		X	X	X
Parlarsburg	WV	WTAP-15	NBC	7		X	X	X		X	X	X		X		
Wheeling	WV	WTRF-7	CBS	10		X	X	X	X	X	X	X	X		X	X
Southeast U.S.	***	SportSouth	Cable	10		X	X	X	X	X	X	X		DB	X	X
Phoenix	AZ	KUSK-7	IND	3					X	X			X			
Minnesota	MN	Midwest Sp Ch	Cable	3		X				X	X					
Cincinnati	OH	WKRC	ABC	1		X										
Cleveland	OH	WJW-8	CBS	6		X				X	X	X	X		X	
Columbus	OH	WSYX-6	ABC	1		X										
Dayton	OH	WHIO-7	CBS	1		X										
Lima	OH	WLIO-35	NBC	1		X										
Toledo	OH	WUPW-36	FOX	7		X	X	X	X	X	X	X				
Denver	CO	KWHD-53	IND	10		X	X	X	X	X	X	X	X		X	X

\*\*\* Greater Rochester Cable

\*\*\* SportSouth coverage is Alabama, Georgia, Kentucky, Mississippi, N.Carolina, S.Carolina, and Tennessee.

November 12, 1993